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COOLEY GODWARD LLP ATTN: PATENT GROUP 11951 FREEDOM DRIVE, SUITE 1700 ONE FREEDOM SQUARE- RESTON TOWN CENTER RESTON, VA 20190-5061			LAZARO, DAVID R	
			ART UNIT	PAPER NUMBER
			2155	8
DATE MAILED: 06/17/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/759,089	DONAHUE, THOMAS P.
	<b>Examiner</b> David Lazarro	<b>Art Unit</b> 2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 29 July 2002.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-4 and 6-64 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-4 and 6-64 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 11 January 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 7.	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

### **DETAILED ACTION**

1. Claims 1-4 were amended, Claim 5 was canceled, and Claims 6-64 were added in the preliminary amendment filed 10/25/01, Paper #4.
2. Claims 1-4 and 6-64 are pending in this Office Action.

#### ***Papers Received***

3. Declaration and Small Entity Fee received 04/08/01.
4. Power of Attorney received 07/26/02. Notice of Acceptance sent 08/16/02.

#### ***Priority***

5. This application claims the benefit of 60/175,937 (01/12/2000).

#### ***Information Disclosure Statement***

6. The information disclosure statement (IDS) submitted on 07/29/02 has been considered by the Examiner.

#### ***Oath/Declaration***

7. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

The date provided for the provisional application, of which this application claims priority, is incorrect.

***Claim Objections***

8. Claim 55 is objected to because of the following informalities: There are 2 "c." steps claimed. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

10. Claims 62-64 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

11. Claims 62-63 recite the limitation "said report". There is insufficient antecedent basis for this limitation in the claim.

12. Claim 64 recites the limitation "said reports". There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

14. Claims 1-4, 6, 7, 11, 12, 15-21, 23, 27-29, 32-36, 38, 39, 44, 47-50, 52-55, 57, 58 and 60-64 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,266,664 by Russell-Falla et al. (Russell-Falla).

15. With respect to Claim 1, Russell-Falla teaches in a computer network, a method of maintaining an acceptable use policy (Col. 1 lines 26-34) comprising: a. monitoring network communications (Col. 4 line 61 – Col. 5 line 4); b. storing at least some of said communications (Col. 5 line 1-4); c. testing the stored communication for the presence of at least one preselected criterion (Col. 5 lines 5-12); d. deleting the communication if the presence of said at least one preselected criterion is not determined (it is inherent that the communication will be forwarded to the web browser and deleted from testing function of the proxy server when the presence is not determined – Col. 5 lines 1-14 and lines 47-65); e. storing the communication if the presence of said at least one preselected criterion is determined (Col. 6 lines 29-34 and Col. 9 lines 1-8).

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16. With respect to Claim 2, Russell-Falla teaches all the limitations of Claim 1 and further teaches the preselected criterion comprises one or more subject matter categories (Col. 4 lines 45-60).
17. With respect to Claim 3, Russell-Falla teaches all the limitations of Claim 2 and further teaches at least some of said subject matter categories comprise regular expressions (Col. 3 lines 1-5).
18. With respect to Claim 4, Russell-Falla teaches all the limitations of Claim 3 and further teaches said regular expressions are weighted (Col. 3 lines 1-9).
19. With respect to Claim 6, Russell-Falla teaches all the limitations of Claim 2 and further teaches the preselected criterion is weighted (Col. 3 lines 1-9).
20. With respect to Claim 7, Russell-Falla teaches all the limitations of Claim 4 and further teaches said regular expressions are weighted with either positive or negative values (Col. 3 line 60 – Col. 4 line 3).
21. With respect to Claim 11, Russell-Falla teaches all the limitations of Claim 1 and further teaches the computer network is a TCP/IP network (Col. 1 lines 37-45).
22. With respect to Claim 12, Russell-Falla teaches all the limitations of Claim 1 and further teaches the computer network is a wide area network (Col. 1 lines 37-45).
23. With respect to Claim 15, Russell-Falla teaches all the limitations of Claim 2 and further teaches said subject matter categories comprise key words (Col. 3 lines 1-9).
24. With respect to Claim 16, Russell-Falla teaches all the limitations of Claim 15 and further teaches wherein at least some of said key words are defined by the user (Col. 2 lines 30-36 and Col. 4 lines 45-60).

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25. With respect to Claim 17, Russell-Falla teaches all the limitations of Claim 2 and further teaches assigning a threshold value to each subject matter category (Col. 5 lines 47-64).
26. With respect to Claim 18, Russell-Falla teaches all the limitations of Claim 17 and further teaches at least some of said subject matter categories comprise one or more predetermined expressions (Col. 3 lines 36-51).
27. With respect to Claim 19, Russell-Falla teaches all the limitations of Claim 18 and further teaches assigning a value to said predetermined expressions (Col. 3 lines 59-66).
28. With respect to Claim 20, Russell-Falla teaches all the limitations of Claim 19 and further teaches summing the values of said predetermined expressions (Col. 3 line 60 – Col. 4 line 3).
29. With respect to Claim 21, Russell-Falla teaches all the limitations of Claim 20 and further teaches said communication is further stored if the sum of values of said predetermined expressions comprising a subject matter category equal or exceed the threshold value assigned to said subject matter category (Col. 5 lines 47-64 and Col. 6 lines 29-34).
30. With respect to Claim 23, Russell-Falla teaches all the limitations of Claim 21 and further teaches said threshold values assigned to said subject matter categories are variable (Col. 5 lines 47-64).

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31. With respect to Claim 27, Russell-Falla teaches all the limitations of Claim 1 and further teaches outputting a report relating to the presence of said at least one preselected criterion (Col. 6 lines 29-34).

32. With respect to Claim 28, Russell-Falla teaches all the limitations of Claim 27 and further teaches said report identifies individuals whose use of the computer network included communications which matched preselected criterion (Col. 6 line 29-34, note the functionality of the report in Russell-Falla is tied to a user - Col. 6 lines 15-21).

33. With respect to Claim 29, Russell-Falla teaches all the limitations of Claim 27 and further teaches said report identifies network addresses where communications were received or originated that included matched preselected criterion (Col. 6 lines 29-34).

34. With respect to Claim 32, Russell-Falla teaches all the limitations of Claim 27 and further teaches said report provides the text of all communications that match said preselected criterion (Col. 6 lines 29-34).

35. With respect to Claim 33, Russell-Falla teaches all the limitations of Claim 27 and further teaches said report is human readable format (Col. 6 lines 29-34).

36. With respect to Claim 34, Russell-Falla teaches a method for monitoring and maintaining an acceptable use policy for computer network usage (Col. 1 lines 26-34) comprising: a. capturing data on a network (Col. 4 line 61 – Col. 5 line 4); b. removing data content that does not contain language elements (Col. 5 lines 5-11); c. testing the remaining content for the presence of predetermined expressions (Col. 5 lines 5-11); d. maintaining a sum of values associated with said predetermined expressions found within at least one category (Col. 3 line 65 – Col. 4 line 3); e. storing the remaining data

if the sum of values associated with said predetermined expressions within a category meets or exceeds a threshold value (Col. 5 lines 47-64 and Col. 6 lines 29-34).

37. With respect to Claim 35, Russell-Falla teaches all the limitations of Claim 34 and further teaches the computer network is a TCP/IP network (Col. 1 lines 37-45).

38. With respect to Claim 36, Russell-Falla teaches all the limitations of Claim 34 and further teaches the computer network is a wide area network (Col. 1 lines 37-45).

39. With respect to Claim 38, Russell-Falla teaches all the limitations of Claim 34 and further teaches said expressions are weighted (Col. 3 lines 55-67).

40. With respect to Claim 39, Russell-Falla teaches all the limitations of Claim 38 and further teaches said expressions are weighted with either positive or negative values (Col. 3 line 60 – Col. 4 line 3).

41. With respect to Claim 44, Russell-Falla teaches all the limitations of Claim 34 and further teaches said expressions are regular expressions (Col. 3 lines 1-6).

42. With respect to Claim 47, Russell-Falla teaches all the limitations of Claim 35 and further teaches said threshold value for a category is variable (Col. 5 lines 47-63).

43. With respect to Claim 48, Russell-Falla teaches all the limitations of Claim 48 and further teaches outputting a report relating to the presence of predetermined expressions (Col. 6 lines 29-34).

44. With respect to Claim 49, Russell-Falla teaches all the limitations of Claim 48 and further teaches said report identifies individuals whose use of the computer network included communications which matched predetermined expressions (Col. 6 line 29-34, note the functionality of the report in Russell-Falla is tied to a user - Col. 6 lines 15-21).

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45. With respect to Claim 50, Russell-Falla teaches all the limitations of Claim 48 and further teaches said report identifies network addresses where communications were received or originated that included matched predetermined expressions (Col. 6 lines 29-34).

46. With respect to Claim 52, Russell-Falla teaches all the limitations of Claim 50 and further teaches said report is in a graphical format (Col. 9 lines 1-8).

47. With respect to Claim 53, Russell-Falla teaches all the limitations of Claim 48 and further teaches said report provides the text of all communications that match said preselected criterion (Col. 6 lines 29-34).

48. With respect to Claim 54, Russell-Falla teaches all the limitations of Claim 48 and further teaches said report is human readable format (Col. 6 lines 29-34).

49. With respect to Claim 55, Russell-Falla teaches a method for monitoring and maintaining an acceptable use policy for computer network usage (Col. 1 lines 26-34) comprising: a. capturing data on a network (Col. 4 line 61 – Col. 5 line 4); b. removing data content that does not contain language elements (Col. 5 lines 5-11); c. defining categories (Col. 4 lines 45-67) with weighted predetermined expressions (Col. 3 lines 36-51); c. testing the remaining content for the presence of predetermined expressions (Col. 5 lines 5-11); d. maintaining a sum of values associated with said predetermined expressions found within each category (Col. 3 line 65 – Col. 4 line 3); e. storing the remaining data if the sum of values associated with said predetermined expressions present within a category exceeds a threshold value (Col. 5 lines 47-64 and Col. 6 lines 29-34).

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50. With respect to Claim 57, Russell-Falla teaches all the limitations of Claim 55 and further teaches the threshold value for a category is defined as the presence of no predetermined expressions (Col. 5 lines 47-64).

51. With respect to Claim 58, Russell-Falla teaches all the limitations of Claim 55 and further teaches the computer network is a wide area network (Col. 1 lines 37-45).

52. With respect to Claim 60, Russell-Falla teaches all the limitations of Claim 55 and further teaches the computer network is a TCP/IP network (Col. 1 lines 37-45).

53. With respect to Claim 61, Russell-Falla teaches all the limitations of Claim 55 and further teaches outputting a report relating to the presence of predetermined expressions whose sum meets or exceed the threshold value of a category (Col. 6 lines 29-34).

54. With respect to Claim 62, Russell-Falla teaches all the limitations of Claim 55 and further teaches said report identifies individuals whose use of the computer network included communications which contained predetermined expressions whose sum matched or exceeded the threshold value of at least one category (Col. 6 line 29-34, note the functionality of the report in Russell-Falla is tied to a user - Col. 6 lines 15-21).

55. With respect to Claim 63, Russell-Falla teaches all the limitations of Claim 55 and further teaches said report identifies network addresses where communications were received or originated that included predetermined expressions whose sum matched or exceeded the threshold value of at least one category (Col. 6 line 29-34).

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56. With respect to Claim 64, Russell-Falla teaches all the limitations of Claim 63 and further teaches said reports are in a graphical format (Col. 6 lines 29-34 and Col. 9 lines 1-8).

***Claim Rejections - 35 USC § 103***

57. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

58. Claims 13, 30, 31, 37, 51 and 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla.

59. With respect to Claim 13, Russell-Falla teaches all the limitations of Claim 1. While Russell-Falla does not explicitly state the computer network is a local area network, Russell-Falla does state the invention is well suited for monitoring those who have managerial responsibility for material accessed or retrieved by others such as employees (Col. 2 lines 30-36). This implies the computer network environment would include a local area network such as those associated with work environments. It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it such that the computer network is a local area network. One would be motivated to have this as there is need for monitoring what persons such as employees access through a computer network (Col. 2 lines 24-44).

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60. With respect to Claim 30, Russell-Falla teaches all the limitations of Claim 2 and further teaches outputting a report relating to the presence of preselected criterion (Col. 6 lines 29-34 and Col. 9 lines 1-8). Russell-Falla does not explicitly disclose the report identifying the number of matches in a category. However, it is implied by Russell-Falla that the report would indicate the number matches in a category as suggested by the alternate embodiments which provide for filing references of the content of concern and storing a presentation schema (Col. 8 line 30 – Col. 9 line 15). Furthermore, the reviewer such as the administrator (Col. 6 lines 29-34) would need some indication as to the significance of the report in terms of evaluating the content. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it such that said report identifies the number of matches in a category. One would be motivated to have this as there is need for monitoring what persons such as employees access through a computer network (Col. 2 lines 24-44).

61. With respect to Claim 31, Russell-Falla teaches all the limitations of Claim 30 and further teaches said report is in a graphical format (Col. 6 lines 29-34 and Col. 9 line 1-8).

62. With respect to Claim 37, Russell-Falla teaches all the limitations of Claim 34. While Russell-Falla does not explicitly state the computer network is a local area network, Russell-Falla does state the invention is well suited for monitoring those who have managerial responsibility for material accessed or retrieved by others such as employees (Col. 2 lines 30-36). This implies the computer network environment would

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include a local area network such as those associated with work environments. It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it such that the computer network is a local area network. One would be motivated to have this as there is need for monitoring what persons such as employees access through a computer network (Col. 2 lines 24-44).

63. With respect to Claim 51, Russell-Falla teaches all the limitations of Claim 34 and further teaches outputting a report relating to the presence of predetermined expressions (Col. 6 lines 29-34 and Col. 9 lines 1-8). Russell-Falla does not explicitly disclose the report identifying the number of matches in a category. However, it is implied by Russell-Falla that the report would indicate the number matches in a category as suggested by the alternate embodiments which provide for filing references of the content of concern and storing a presentation schema (Col. 8 line 30 – Col. 9 line 15). Furthermore, the reviewer such as the administrator (Col. 6 lines 29-34) would need some indication as to the significance of the report in terms of evaluating the content. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it such that said report identifies the number of matches in a category. One would be motivated to have this as there is need for monitoring what persons such as employees access through a computer network (Col. 2 lines 24-44).

64. With respect to Claim 59, Russell-Falla teaches all the limitations of Claim 55. While Russell-Falla does not explicitly state the computer network is a local area

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network, Russell-Falla does state the invention is well suited for monitoring those who have managerial responsibility for material accessed or retrieved by others such as employees (Col. 2 lines 30-36). This implies the computer network environment would include a local area network such as those associated with work environments. It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it such that the computer network is a local area network. One would be motivated to have this as there is need for monitoring what persons such as employees access through a computer network (Col. 2 lines 24-44).

65. Claims 14, 22, 24-26, 45, 46 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla in view of U.S. Patent 6,366,910 by Rajaraman et al. (Rajaraman).

66. With respect to Claim 14, Russell-Falla teaches all the limitations of Claim 2 and further teaches preselected criterion (Col. 3 lines 1-8) and a plurality of categories (Col. 4 lines 45-60). Russell-Falla does not explicitly disclose a presence being a match in a plurality of categories. Rajaraman teaches the presence being a match in a plurality of categories (Col. 10 lines 22-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it as indicated by Rajaraman such that the presence of the preselected criterion in at least one of said categories comprises a match in a plurality of categories.

One would be motivated to have this as there is need for accurately and efficiently identifying a category for which content belongs (Col. 2 lines 19-56 of Russell-Falla).

67. With respect to Claim 22, Russell-Falla teaches all the limitations of Claim 21 and further teaches threshold values for subject matter categories (Col. 5 lines 47-63) and a plurality of subject matter categories (Col. 4 lines 45-60). Russell-Falla does not explicitly disclose a threshold for one category equaling or exceeding the threshold value in a plurality of categories. Rajaraman teaches a threshold for one category equaling or exceeding the threshold value in a plurality of categories (Col. 10 lines 22-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it as indicated by Rajaraman such that the threshold value of at least one subject matter category comprises equaling or exceeding the threshold value in a plurality of categories. One would be motivated to have this as there is need for accurately and efficiently identifying a category for which content belongs (Col. 2 lines 19-56 of Russell-Falla).

68. With respect to Claim 24, Russell-Falla teaches all the limitations of Claim 18 but does not explicitly disclose the subject matter categories having a hierarchical relationship. Rajaraman teaches that subject matter categories can have a hierarchical relationship (Col. 10 lines 22-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it as indicated by Rajaraman such that said subject matter categories have a hierarchical relationship. One would be motivated to have this as there is need for

accurately and efficiently identifying a category for which content belongs (Col. 2 lines 19-56 of Russell-Falla).

69. With respect to Claim 25, Russell-Falla teaches all the limitations of Claim 24 and further teaches said hierarchical relationship comprises defining the threshold value for at least one subject matter category as the presence of predetermined expressions in a plurality of other subject matter categories (Col. 10 lines 22-34 of Rajaraman).

70. With respect to Claim 26, Russell-Falla teaches all the limitations of Claim 24 and further teaches said hierarchical relationship comprises defining the threshold value for at least one subject matter category as matching or exceeding the threshold value assigned to a plurality of other subject matter categories (Col. 10 lines 22-34 of Rajaraman).

71. With respect to Claim 45, Russell-Falla teaches all the limitations of Claim 21 and further teaches threshold values for categories (Col. 5 lines 47-63) and a plurality of categories (Col. 4 lines 45-60). Russell-Falla does not explicitly disclose a threshold for one category meeting or exceeding the threshold value for a plurality of other categories. Rajaraman teaches a threshold for one category equaling or exceeding the threshold value in a plurality of categories (Col. 10 lines 22-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it as indicated by Rajaraman such that the threshold value for at least one category comprises meeting or exceeding the threshold value in a plurality of categories. One would be motivated to have this as

there is need for accurately and efficiently identifying a category for which content belongs (Col. 2 lines 19-56 of Russell-Falla).

72. With respect to Claim 46, Russell-Falla teaches all the limitations of Claim 34 but does not explicitly disclose the threshold value of at least one category comprises meeting or exceeding the threshold value for at least one other category and not meeting or exceeding the threshold value for at least another category. Rajaraman teaches the threshold value of at least one category comprises meeting or exceeding the threshold value for at least one other category and not meeting or exceeding the threshold value for at least another category (Col. 10 lines 22-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it as indicated by Rajaraman such that the threshold value of at least one category comprises meeting or exceeding the threshold value for at least one other category and not meeting or exceeding the threshold value for at least another category. One would be motivated to have this as there is need for accurately and efficiently identifying a category for which content belongs (Col. 2 lines 19-56 of Russell-Falla).

73. With respect to Claim 56, Russell-Falla teaches all the limitations of Claim 21 and further remaining data being stored based on the sum of predetermined expressions (Col. 3 line 56 – Col. 4 line 3). Russell-Falla does not explicitly disclose storing of the remaining data occurring only if the sum of predetermined expressions exceeds the threshold value in a plurality of categories. Rajaraman teaches a threshold for a plurality of categories (Col. 10 lines 22-34). It would have been obvious to one of

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ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it as indicated by Rajaraman such that said remaining data is stored only if the sum of predetermined expressions exceeds the threshold value in a plurality of categories. One would be motivated to have this as there is need for accurately and efficiently identifying a category for which content belongs (Col. 2 lines 19-56 of Russell-Falla).

74. Claims 8-10 and 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell-Falla in view of Rajaraman.

75. With respect to Claim 8, Russell-Falla teaches all the limitations of Claim 7 but does not explicitly disclose regular expressions with negative values being before regular expressions with positive value. Rajaraman teaches regular expressions with negative values are before regular expression with positive values (Col. 7 lines 37-45 and Col. 9 lines 19-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it as indicated by Rajaraman such that regular expressions within a subject matter category having a negative value are before regular expressions having a positive value. This aids in accurately identifying the content by reducing irrelevant hits (Col. 7 lines 22-42 of Rajaraman). One would be motivated to have this as there is need for accurately and efficiently identifying a category for which content belongs (Col. 2 lines 19-56 of Russell-Falla).

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76. With respect to Claim 9, Russell-Falla teaches all the limitations of Claim 4 but does not explicitly disclose prioritizing the order which regular expressions within a subject matter category are tested. Rajaraman teaches prioritizing the order which regular expressions within a subject matter category are tested (Col. 9 lines 19-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it as indicated by Rajaraman such that it further comprises prioritizing the order which regular expressions within a subject matter category are tested. This aids in accurately identifying the content by reducing irrelevant hits (Col. 7 lines 22-42 of Rajaraman). One would be motivated to have this as there is need for accurately and efficiently identifying a category for which content belongs (Col. 2 lines 19-56 of Russell-Falla).

77. With respect to Claim 10, Russell-Falla teaches all the limitations of Claim 9 and further teaches said prioritizing reduces likelihood of false hits (Col. 7 lines 22-42 of Rajaraman).

78. With respect to Claim 40, Russell-Falla teaches all the limitations of Claim 39 but does not explicitly disclose prioritizing the order which regular expressions within a subject matter category are tested. Rajaraman teaches prioritizing the order which regular expressions within a subject matter category are tested (Col. 9 lines 19-28). It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Russell-Falla and modify it as indicated by Rajaraman such that it further comprises prioritizing the order which regular expressions within a subject matter category are tested. This aids in accurately identifying the

content by reducing irrelevant hits (Col. 7 lines 22-42 of Rajaraman). One would be motivated to have this as there is need for accurately and efficiently identifying a category for which content belongs (Col. 2 lines 19-56 of Russell-Falla).

79. With respect to Claim 41, Russell-Falla in view of Rajaraman teaches all the limitations of Claim 40 and further teaches the negative values regular expressions are tested first (Col. 9 lines 19-28).

80. With respect to Claim 42, Russell-Falla in view of Rajaraman teaches all the limitations of Claim 41 and further teaches said negative and positive valued regular expressions are separately tested in the order of largest value to smallest value (Col. 9 lines 19-45).

81. With respect to Claim 43, Russell-Falla in view of Rajaraman teaches all the limitations of Claim 40 and further teaches said prioritizing is determined based upon reducing likelihood of false hits (Col. 7 lines 22-42 of Rajaraman).

### ***Conclusion***

82. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

83. U.S. Patent 5,796,948 by Cohen "Offensive message interceptor for computers" August 18, 1998.

84. U.S. Patent 5,884,033 by Duvall et al. "Internet filtering system for filtering data transferred over the internet utilizing immediate and deferred filtering actions" March 16, 1999.

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85. U.S. Patent 5,996,011 by Humes "System and method for filtering data received by a computer system" November 30, 1999.

86. U.S. Patent 6,336,116 by Massarani "Content-indexing search system and method providing search results consistent with content filtering and blocking policies implemented in a blocking engine" January 1, 2002.

87. U.S. Patent 6,381,632 by Lowell "Method and Apparatus for tracking network usage" April 30, 2002.

88. U.S. Patent 6,477,551 by Johnson et al. "Interactive electronic messaging system" November 5, 2002.

89. U.S. Patent 6,438,632 by Kikugawa "Electronic bulletin board system" August 20, 2002.

90. U.S. Patent 6,466,119 by Olah et al. "System and method for monitoring computer usage" September 3, 2002.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 703-305-4868. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 703-308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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June 10, 2004



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